

ORDINANCE NO. 10-50

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA ACCEPTING THE RIGHT-OF-WAY DEED FROM MIRNA B. VERA CONSISTING OF A 5-FOOT RADIUS COMPRISING OF APPROXIMATELY 5 SQUARE FEET IN TOTAL AREA ON THE NORTHWEST CORNER OF WEST 4 LANE AND WEST 16 STREET, LOCATED INSIDE A PARCEL OF LAND HAVING AN ADDRESS OF 493 WEST 16 STREET, HIALEAH, FLORIDA, A COPY OF WHICH IS ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "1"; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board at its meeting of August 11, 2010 recommended approval of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The City of Hialeah, Florida hereby accepts a right-of-way deed from Mirna B. Vera, consisting of a 5-foot radius comprising of approximately 5 square feet in total area, on the northwest corner of West 4 Lane and West 16 Street, located inside a parcel of land having an address of 493 West 16 Street, Hialeah, Florida, legally described as follows:

A PORTION OF THE SOUTH 100 FEET OF THE EAST 70 FEET OF LOT 5, LESS THE EAST 12.5 FEET FOR A STREET, BLOCK 1, GLADEVILLE RESUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, PAGE 45, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY,

FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EXTERNAL AREA OF A CIRCULAR CURVE LYING WITHIN THE SOUTH 100 FEET OF THE EAST 70 FEET OF LOT 5, LESS THE EAST 12.5 FEET FOR A STREET, BLOCK 1, GLADEVILLE RESUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, PAGE 45, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. SAID CURVE BEING CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 5.00 FEET AND BEING TANGENT TO THE EAST AND SOUTH LINES OF SAID LOT 5 CONTAINING APPROXIMATELY 5 SQUARE FEET.

Also known as a portion of 493 West 16 Street, Hialeah, Florida as depicted in the sketch, a copy of which is attached as part of Exhibit "1".

Section 2: Repeal of Ordinances in Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3: Penalties.

Every person violating any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be assessed a civil penalty not to exceed \$500.00 within the discretion of the court or administrative tribunal having jurisdiction. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty described above, the City may pursue other remedies such as abatement of nuisance, injunctive relief, administrative adjudication and revocation of licenses or permits.

Section 4: Severability Clause.

If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

Section 5: Effective Date.

This ordinance shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.


PASSED and ADOPTED this 14th day of September, 2010.

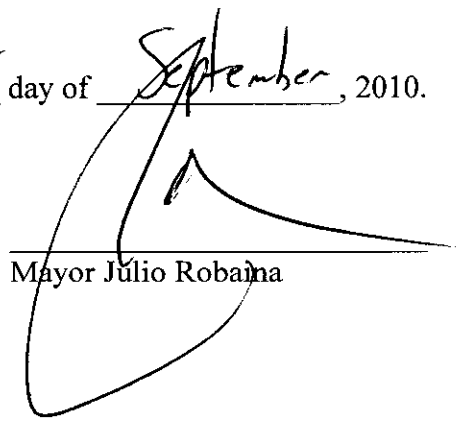
THE FOREGOING ORDINANCE
OF THE CITY OF HIALEAH WAS
PUBLISHED IN ACCORDANCE
WITH THE PROVISIONS OF
FLORIDA STATUTE 166.041
PRIOR TO FINAL READING.


Carlos Hernandez
Council President


Attest:

Approved on this 15 day of September, 2010.


Rafael E. Granado, City Clerk


Mayor Julio Robaina

Approved as to form and legal sufficiency:


William M. Grodnick, City Attorney



CFN 2010R0653647
DR Bk 27434 Pgs 0425 - 4307 (6pgs)
RECORDED 09/27/2010 12:06:25
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA

Name: Mirna B. Vera, a single woman

Address: 493 West 16 Street
Hialeah, Florida 33010-2996

This instrument prepared by: City of Hialeah
and return recorded instrument to the following

Address: 501 Palm Avenue, 4th Floor
Hialeah, Florida 33010

Property Appraisers Parcel Identification (Folio)
Number(s): 04-3013-014-0100

**RIGHT-OF-WAY DEED TO CITY OF HIALEAH, FLORIDA
FOR PUBLIC RIGHT-OF-WAY**

THIS INDENTURE, made this 4 day of August, 2010 by and between Mirna B. Vera, a single woman, of the County of Miami-Dade, State of Florida, party of the first part, and the City of Hialeah, a municipal corporation organized and existing by virtue of and under the laws of the State of Florida, its successors in interest, party of the second part.

WITNESSETH, that the said party of the first part, for and in consideration of the sum of Ten Dollars (\$10.00) Dollars, to them in hand paid by the party of the second part, receipt whereof is hereby acknowledged, and for other good and valuable consideration, have granted, bargained, and sold to the party of the second part, their successors in interest, for the purpose of a public right-of-way and purposes incidental thereto, the following described land, situate, lying and being in the County of Miami-Dade, State of Florida, to wit:

A PORTION OF THE SOUTH 100 FEET OF THE EAST 70 FEET OF LOT 5, LESS THE EAST 12.5 FEET FOR A STREET, BLOCK 1, GLADEVILLE RESUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, PAGE 45, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EXTERNAL AREA OF A CIRCULAR CURVE LYING WITHIN THE SOUTH 100 FEET OF THE EAST 70 FEET OF LOT 5, LESS THE EAST 12.5 FEET FOR A STREET, BLOCK 1, GLADEVILLE RESUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, PAGE 45, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. SAID CURVE BEING CONCAVE TO THE

NORTHWEST, HAVING A RADIUS OF 5.00 FEET
AND BEING TANGENT TO THE EAST AND SOUTH
LINES OF SAID LOT 5 CONTAINING
APPROXIMATELY 5 SQUARE FEET.

Also known as a parcel of land located within 493 West 16 Street,
Hialeah, Florida, as depicted on the sketch attached hereto and made a part
hereof as Exhibit "A"

And the party of the first part does hereby fully warrant the title to said land, and
will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set my
hands and seal the day and year first above written.

Signed, sealed and delivered
In the presence thereof:

Mirna B. Vera
493 West 16 Street
Hialeah, Florida 33010

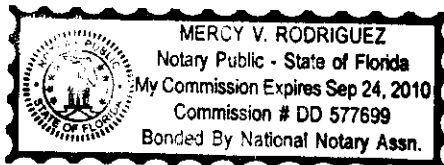
By: *Mirna B. Vera*
Mirna B. Vera

Eduardo Cordova
Witness Signature
Eduardo Cordova
Typed/Printed Name
MERCY V RODRIGUEZ
Witness Signature
MERCY V RODRIGUEZ
Typed/Printed Name

**STATE OF FLORIDA
COUNTY OF MIAMI-DADE**

I hereby certify that on this day, before me, an officer duly authorized to administer oaths and take
acknowledgments, personally appeared Mirna B. Vera, a single woman, and she is known to me to be the
person described in and who executed the foregoing instrument, who acknowledged before me that she
executed the same, and I relied upon the following form of identification of the above-named
person: MIRNA B VERA or are personally known to me and
that an oath was taken.

NOTARY SEAL



Witness my hand and official seal in the County and
State last aforesaid this 4 day of August,
2010.

MERCY V RODRIGUEZ
Notary Signature
MERCY V RODRIGUEZ
Typed/Printed Name:

My Commission No: #DD 577699

EXHIBIT A

LEGAL DESCRIPTION:

493 w 16TH Street, Hialeah, Florida.

Right of way to be dedicated to the City of Hialeah, Miami-Dade County, Florida. Being a portion of Lot 5 in Block 1 of GLADEVILLE RESUBDIVISION ; according to the Plat thereof as recorded in Plat Book 7 at Page 45 of the Public records of Miami-Dade County, Florida. More particularly described as follows:

The external area of a circular curve lying within lot 5 in Block 1 of GLADEVILLE RESUBDIVISION. According to the Plat thereof as recorded in Plat Book 7 at page 45 of the Public Records of Miami-Dade County, Florida. Said circular curve being concave to the Northwest, having a radius of 5.00 feet and being tangent to the East and South lines of said lot 5. Containing approximately 5 square feet.

SKETCH OF LEGAL.

